

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Power Integrations, Inc.,

NO. C 09-05235 JW

Plaintiff,

**ORDER SETTING BRIEFING ON  
ADDITIONAL CLAIM CONSTRUCTION**

v.

Fairchild Semiconductor Int'l, Inc. et al.,

Defendants.

On September 14, 2011, the Court ordered the parties to submit supplemental briefs on the question of whether the Court should construe additional terms identified by the parties as being disputed.<sup>1</sup> Defendants submitted briefing contending that the Court should construe the phrases “to switch the power switch” and “current limit” on the grounds that these terms might be dispositive as to questions of patent validity or infringement.<sup>2</sup> Plaintiff contends that even if the Court were to adopt the claim constructions offered by Defendants, this would not be dispositive of either invalidity or infringement.<sup>3</sup> Plaintiff accordingly asks that the case be set for trial. (Id.)

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<sup>1</sup> (Order Vacating Case Management Conference; Setting Briefing Schedule, hereafter, “Order,” Docket Item No. 134.)

<sup>2</sup> (Defendants’ Brief in Support of Supplemental Claim Construction, hereafter, “Defendants’ Brief,” Docket Item No. 135.)


<sup>3</sup> (Power Integrations’ Brief re. No Need for Further Claim Construction at 4, hereafter, “Plaintiff’s Brief,” Docket Item No. 137.)

1 The Patent Local Rules provide that parties shall prepare for claim construction by “jointly  
2 identify[ing] the 10 terms likely to be most significant to resolving the parties’ dispute, including  
3 those terms for which construction may be case or claim dispositive.” Patent L.R. 4-1(b).

4 Upon review, the Court finds good cause to construe the additional terms because they may  
5 be dispositive in resolving the claims. On or before **October 13, 2011**, the parties shall file  
6 simultaneous claim construction briefs of no more than ten pages on the two terms. Unless  
7 otherwise ordered by the Court, the matter will be taken under submission for decision without oral  
8 argument.

9 On **November 21, 2011 at 10 a.m.** the parties shall appear for a Case Management  
10 Conference. On or before **October 28, 2011**, the parties shall submit a Joint Case Management  
11 Statement. The Statement shall include, among other things, the parties’ proposed schedule on how  
12 this case should proceed and an update on the parties’ settlement efforts.

13  
14 Dated: October 6, 2011

  
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JAMES WARE  
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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9 **Dated: October 6, 2011**

**Richard W. Wieking, Clerk**

10 **By: /s/ JW Chambers**  
11 **Susan Imbriani**  
12 **Courtroom Deputy**